

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA

V.

FUNDS SEIZED FROM WELLS FARGO
ACCTS. ENDING IN 3693, 1970
2039 AND VENMO/PAY PAL
ENDING IN 2280

CASE NO. CV 122-007

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

COMES NOW the United States of America, (the “United States” or the “Government”), by and through David H. Estes, United States Attorney for the Southern District of Georgia, and Xavier A. Cunningham, Assistant United States Attorney, and brings this Verified Complaint for Civil Forfeiture *In Rem*, with the following allegations:

NATURE OF THE ACTION AND BASIS FOR FORFEITURE

1. This is a civil action for forfeiture of Defendant Property that is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) and/or 18 U.S.C. § 981(a)(1)(A) because they constitute (1) money, negotiable instruments, securities and other things of value furnished and intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; (3) money, negotiable instruments, and securities used and intended to be used to facilitate a violation of the Controlled Substances Act; (4) real property used or intended to be used to facilitate the commission of felony controlled substance offenses; and/or (5) property involved in financial transactions or attempted financial

transactions in violation of 18 U.S.C. §§ 1956, 1957 or 1960 or property traceable to such property, and pursuant to 21 U.S.C. § 853 as property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of 21 U.S.C. § 841.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355(a). This Court has *in rem* jurisdiction over the Defendant Property pursuant to 28 U.S.C. §§ 1355(b)(1)(A) and 1355(b)(1)(B).

3. Venue is proper in this district based on 28 U.S.C. § 1395(a) because the action accrued in this district. With respect to certain of the defendants *in rem*, venue is proper in the district pursuant to 28 U.S.C. § 1395(b) because the property was found in this district.

4. The Defendant Property was seized from Conway James Rhinehart (hereinafter, “Rhinehart”), on or around September 2020, pursuant to a federally issued search and seizure warrant.

5. The Defendant Property consists of:

- Venmo/PayPal Card Holder
#5143-7724-0632-2280, VL: \$1,833.50
- Wells Fargo Bank, N.A.,
Acct. #1010300971970, VL: \$18,585.93
- Wells Fargo Bank, N.A.,
Acct. #9352683693, VL: \$26,467.5
- Wells Fargo Bank, N.A.,
Acct. #1927582039, VL: \$40.00

(Collectively, the “Defendant Property”).

FACTS

6. On or around September 2020, the DEA and Homeland Security Investigations (HSI) initiated an investigation into the drug trafficking activities of Conway James RHINEHART and his drug trafficking organization (DTO). As a result of this investigation, evidence has been obtained that has provided information which indicates that RHINEHART and others, known and unknown, operate an organization that is involved in the sale and distribution of Alpha-PHP and fentanyl in the Augusta, Georgia area and other areas throughout the United States.

7. The current parallel criminal investigation has revealed that RHINEHART receives large quantities of Alpha-PHP at 2894 Lake Erie Drive and 3914 Lake Erie Drive, Hephzibah, Georgia.

8. Alpha-PHP also known as “Flakka” or “Bath Salts” which is highly potential for abuse and leads to paranoia, hypertension, cardiac arrest and even death. Alpha-PHP comes in forms of powder or crystal-like substance.

9. During September and October 2020, DEA and HSI became aware of approximately sixteen international inbound seizures connected to RHINEHART who is located in Hephzibah, Georgia. Three of the larger packages seized were addressed for James RHINEHART at PO Box 2003, 2894 Lake Erie Drive, Hephzibah, Georgia.

10. The three seizures are summarized as follows:

DATE	ADDRESSEE	TYPE OF DRUG/AMOUNT	DESTINATION
September 30, 2020	James RHINEHART	109 grams of Alpha-PHP	2894 Lake Erie Drive Hephzibah, Georgia 30815
October 10, 2020	James RHINEHART	118.4 grams of Alpha-PHP	2894 Lake Erie Drive Hephzibah, Georgia 30815
October 16, 2020	James RHINEHART	230.5 grams of Alpha-PHP	2894 Lake Erie Drive Hephzibah, Georgia 30815

11. Furthermore, on July 12, 2021, the Philadelphia Air Enforcement Unit (AEU) seized a package from Amsterdam, Netherlands connected to RHINEHART. One of the packages were addressed for L RHINEHART at 3914 Lake Erie Drive, Hephzibah, Georgia; and the other was to R. RHINEHART at 2894 Lake Erie Drive, Hephzibah, Georgia.

12. The seizure is summarized as follows:

DATE	ADDRESSEE	TYPE OF DRUG/AMOUNT	DESTINATION
July 12, 2021	R. RHINEHART	59.1 grams of Alpha-PHP	2894 Lake Erie Drive Hephzibah, Georgia 30815
July 12, 2021	L RHINEHART	52.4 grams of Alpha-PHP	3914 Lake Erie Drive Hephzibah, Georgia 30815

13. As stated above, on July 12, 2021, the Philadelphia International AEU located two suspicious packages inbound from Amsterdam, Netherlands. Customs and Border Protection (CBP) agents located an envelope for examination that appeared identical to numerous shipments seized. CBP agents noticed that the package lacked a return address and a customs declaration. An examination of the package revealed a vacuum sealed bag containing white powder weighing approximately 52.4 grams. CBP conducted a field test of the white powder utilizing the Thermo-Scientific Gemini Analyzer. The test yielded positive results for Alpha-PHP hydrochloride A-PHP. This package was addressed to “L. RHINEHART, 3914 Lake Erie Drive, Hephzibah, Georgia 30815.”

14. Ultimately, on July 12, 2021, the Philadelphia International Airport AEU located a suspicious package inbound from Amsterdam. CBP agents noticed this package to be similar to the above addressed to L. RHINEHART at 3914 Lake Erie Drive, Hephzibah, Georgia. This package was addressed to R. RHINEHART at 2894 Lake Erie Drive. An examination of the package revealed a zip lock bag containing a white powder weighing approximately 59.1 grams. CBP conducted a field test of the white powder utilizing the Thermo-Scientific Gemini Analyzer. The test yielded positive results for Alpha-PHP.

15. On July 19, 2021, the Southern District of Georgia United States Magistrate Court Judge, Brian K. Epps signed two federal search warrants for 2894 Lake Erie Drive, Hephzibah, Georgia 30815 and 3914 Lake Erie Drive, Hephzibah, Georgia 30815.

16. On July 21, 2021, DEA agents along with HSI agents, executed the search warrants at the above addresses. A search of 2894 Lake Erie Drive yielded approximately 6 Kilograms of various controlled substances labeled Alpha-PHP, "EU" Eutylone and "NDH".

17. A search of 3914 Lake Erie Drive, Hephzibah, Georgia yielded approximately 8 Kilograms of various controlled substances labeled Alpha-PHP, "EU" Eutylone and "NDH". A computer and items consistent with the packaging and distribution of controlled substances to include large quantities of UPS and USPS boxes, labels, stamps, etc. were also located at this residence.

18. During the search of 3914 Lake Erie Drive, agents noticed RHENHARTS desktop computer was unlocked and began analyzing the contents. A series of emails regarding payments from purchasers to RHINEHART through Cash App and Venmo for various controlled substances to include Alpha-PHP were discovered. A review of the emails revealed, on July 20, 2021 John Schofield of 67 W Monroe Street #2, Little Falls, NY 13365, purchased two packages of Alpha-PHP HCL Powder 500mg for \$81.00 per 500mg. The final total of the purchase was \$180.00 which included the flat rate shipping. Also, on May 25, 2021, John Schofield purchased three packages of Alpha-PHP HCL Powder 500mg for \$80.00 per 500mg. The final total of the purchase was \$275.00 which included overnight shipping. RHINEHART was paid by Schofield via Cash App. RHINEHART's Cash App username is \$Invictus51584.

19. Cash App is a mobile peer-to-peer payment service developed by Square, Inc. that allows users to transfer money to one another using a mobile phone app. In this instance RHINEHART's purchasers send RHINEHART the money for narcotics purchased to his username \$Invictus51584. Cash App can also function similarly to a bank account giving users a debt card, called a "Cash Card", that allows them to make purchases using the funds in their Cash App account.

CLAIM FOR RELIEF

WHEREFORE, the United States of America requests that the Defendant Property be forfeited and condemned to the United States of America pursuant to the provisions of 21 U.S.C. §§ 853, 881(a) and/or 18 U.S.C. § 981(a)(1)(A); that it be

awarded its costs and disbursements in this action; and that it be granted such further relief as this Court deems proper and just.

This 20th day of January 2022

Respectfully submitted,

DAVID H. ESTES
UNITED STATES ATTORNEY

/s/ Xavier A. Cunningham

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Assistant United States Attorney
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VERIFICATION OF COMPLAINT FOR FORFEITURE *IN REM*

I, Lesley A Mace, Special Agent with the Drug Enforcement Administration, have read the foregoing Amended Complaint for Forfeiture *in Rem* in this action and state that its contents are true and correct to the best of my knowledge and belief.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

This 20th day of January 2022.



LESLEY A. MACE
SPECIAL AGENT
DRUG ENFORCEMENT ADMINISTRATION